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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,138	02/16/2001	Norimasa Sagawa	016889/0806	3529

22428 7590 05/10/2005

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

NAKARANI, DHIRAJLAL S

ART UNIT	PAPER NUMBER
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1773

DATE MAILED: 05/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

ML

Office Action Summary

Application No.

09/784,138

Applicant(s)

SAGAWA ET AL.

Examiner

D. S. Nakarani

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/7/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 7 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification as originally filed fail to provide support for the limitation "an uncolored front lens" in claims 7 and 11, line 4. The applicants have not pointed where the support for this limitation can be found in the originally filed specification. The passage "a yellow signal excellent in visibility can be emitted without coloration of a front lens" at page 10, lines 22 and 23 does not provide support for the limitation "an uncolored front lens".

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al (U.S. Patent 6,342,762 B1) in view of Greigger (U.S. Patent 4,435,219),

Hayashi et al (U.S. Patent 5,693,690) and, as an evidence, Itoh et al (U.S. Patent 5,624,998).

Young et al disclose an amber vehicle lamp comprising airtight container lead-wires disposed in the transparent airtight container, a filament hung up on the lead wires, wherein coating film is formed on the surface of the transparent airtight container by using coloring coating agent. The coloring coating agent comprising red-iron oxide, organic yellow pigment and clear silicone-polyester resin (Figure and claims). Young et al fail to disclose claimed particle size of red-iron oxide and of organic yellow pigment and also fail to disclose claimed sol.

Greigger discloses a coating composition for substrate such as metal, glass etc. (column 8, lines 18-19). Greigger's coating composition comprises claimed sol and comprises pigments. Greigger's pigments which include red iron oxide (column 6, line 17) and organic pigments (column 8, line 29). Greigger also suggests mixture of pigments (column 8, line 31). Greigger discloses that the coating composition provide cured coating film highly adherent and crack resistant at high temperature (column 8, lines 14-17). Greigger also does not disclose claimed particle size of pigments.

Hayashi et al disclose an iron oxide particles composed of iron oxide core, which contains 0.21 to 2.14 wt % of silicon calculated as SiO_2 . The iron oxide particles are spherical and have an average particle diameter 0.05 to 1.0 microns (Abstract). The iron oxide such as $\alpha\text{-Fe}_2\text{O}_3$ is disclosed (column 5, lines 25-26). Hayashi et al's iron oxide provides resin composition with suppressed deterioration (column 2, lines 59-61). Hayashi et al's resin includes silicon rubber (column 1, line 20).

Itoh et al disclose hardenable composition and disclose that in producing a transparent aqueous gel, the particle diameter of the particulate metal oxide is very important factor and is required to be 1.00 micron or less (column 5, lines 34-37).

The claimed structure of a vehicle light claimed in claims 7 and 11 is old and known.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of this invention made to utilize disclosure of Hayashi et al and Greigger in the invention of Young et al to make coating having high adhesion and crack resistance at high temperature. It would have been obvious to use Hayashi et al's iron oxide pigment to suppress deterioration of silicon based coating of Greigger. It would have been obvious to a person of ordinary skill in the art at the time of this invention made to vary proportions of red iron oxide pigment and yellow organic pigment to vary shades of color and vary particle size of pigments to vary transparency of the coating.

No claims are allowed.

5. Receipt of clean copy of form PTO/5B/08 filed with the Information Disclosure Statement filed June 12, 2002 is acknowledged. Signed clean copy of PTO/5B/08 is enclosed.

6. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

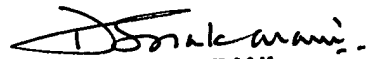
6. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D.S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D.S. Nakarani/dh
May 5, 2005


D. S. NAKARANI
PRIMARY EXAMINER